

Wetlands Bureau Decision Report

Decisions Taken
01/26/2004 to 01/30/2004

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2003-00591 MEREDITH, TOWN OF MEREDITH Lake Winnepesaukee

Requested Action:

Amend permit to relocate a portion of the boardwalk away from an existing, elevated deck.

Conservation Commission/Staff Comments:

Con. Com. has no objections to application.

Public Hearing held June 26, 2003.

APPROVE AMENDMENT:

1. Construct 808 linear ft of boardwalk and a 15 ft diameter gazebo along the shoreline between the existing town docking facilities and Church Point, Lake Winnepesaukee.
2. Construct two 6 ft x 31 ft piling piers connected by a 6 ft x 10 ft walkway, attached to a 6 ft x 18 ft piling pier in a "Y" configuration on an average of 172 ft of frontage in Meredith Bay, Lake Winnepesaukee.
3. Abandon a 4 ft x 30 ft pier and construct a 4 ft x 30 ft piling pier and 4 ft x 5 ft walkway on 200 ft of frontage on Meredith Bay, Lake Winnepesaukee.
4. Construct a 5 ft x 58 ft piling pier, a 5 ft x 63 ft piling pier, and a 6 ft x 36 ft 4 in piling pier on an average of 723 ft of frontage on Church Point, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Fluet Engineering Associates, P.C. dated July 2002, as revised on January 16, 2004, and received by the Department on January 21, 2004.
2. This permit shall not be effective until it has been recorded, for each lot, with the Belknap County Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. The boardwalk and gazebo deck surfaces shall be lit in such a manner that allows safe public use while minimizing both the lake surface and shoreline areas to be lit and the visual impact to the surrounding community.
8. All portions of the boardwalk and gazebo shall be available for free public access and use, with no residency restrictions.
9. Gates and/or railings may be installed to restrict access to private properties and docks adjacent to or extending from the public boardwalk.
10. Impacts to public access shall be minimized during construction, and work should be done during the off-season wherever possible.
11. Particular care shall be taken to avoid impacts to the bank adjacent to the off-shore boardwalk sections.
12. Minimum spacing between support pilings shall be 12 feet, measured center to center.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Wt 303.02(d), construction of a major docking facility.
2. This project includes Lots 146, 146A and 147 on Tax Map U6 in the Town of Meredith on Lake Winnepesaukee.
3. The applicant on Lot 146 has an average of 200 feet of frontage along Lake Winnepesaukee.
4. The applicant on Lot 146A has an average of 172 feet of frontage along Lake Winnepesaukee.
5. The applicant on Lot 147 has an average of 723 feet of frontage along Lake Winnepesaukee.

6. A maximum of 3 slips each may be permitted on Lots 146 and 146A, and a maximum of 10 slips may be permitted on Lot 147 per Rule Wt 402.14, Frontage Over 75'.
7. The proposed docking facilities will provide a total of 15 slips total as defined per Rule Wt 101.07, Boat slip, and therefore meets Rule Wt 402.14.
8. Public hearing was held in the Town of Meredith on June 26, 2003 by NH DES staff, with no objections to the project.
9. DES finds that the project impacts will not significantly impair the resources of Lake Winnepesaukee while enhancing the use and enjoyment of the public trust.
10. The project will provide needed public access while improving the safety and aesthetics of the Town of Meredith.
11. This application was filed jointly by the owners in fee of the affected frontages.
12. The relocation of a portion of the boardwalk will result in no change in the overall impact of the project.

2003-01973

KEEWAYDIN DRIVE REALTY LLC, C/O BROOKS PROPERTIES

SALEM Prime Wetland # 17

Requested Action:

Dredge and fill approximately 95 square feet in and adjacent to Salem Prime Wetland #17 to install three monitoring wells and at least two staff gauges to determine the extent of groundwater contamination.

Conservation Commission/Staff Comments:

In a letter to the DES Wetlands Bureau dated September 4, 2003 the Salem Conservation Commission recommended approval of the application.

APPROVE PERMIT:

Dredge and fill approximately 95 square feet in and adjacent to Salem Prime Wetland #17 to install three monitoring wells and at least two staff gauges to determine the extent of groundwater contamination.

With Conditions:

1. All work shall be in accordance with the Site Plan by ENSR International dated January 2004, as received by the Department on January 29, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau, as specified in RSA 482-A, will require a new application and approval by the Bureau.
3. Work shall be conducted by hand-held machinery.
4. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Extreme care shall be taken to minimize disturbance to existing vegetation and wetlands soils while accessing monitoring well and staff gauge locations.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.

With Findings:

1. The project is categorized as a Major Impact Project, per Administrative Rule Wt 303.02(f), as the project will take place in and adjacent to Salem Prime Wetland #17.
2. The project is necessary to characterize the horizontal extent of chlorinated volatile organic compounds in groundwater in the vicinity of an existing surface water sampling point, as requested by the NHDES Waste Management Division.
3. Work will be performed using hand-held machinery.
4. In a memo dated July 31, 2003 the NH Natural Heritage Bureau indicated that a population of state-threatened Wild Lupine had been documented in the project vicinity. Based on review of the map provided by the NH Natural Heritage Bureau showing the known location of the Wild Lupine population, and review of the USGS Map and Tax Map submitted in support of the application, the Department finds that the Wild Lupine population is located approximately 750 feet north of proposed project. When this distance is taken into account with the magnitude of project activities, the Department finds that the project will not have a significant adverse impact on the Wild Lupine population.
5. In a letter to the DES Wetlands Bureau dated September 4, 2003 the Salem Conservation Commission recommended approval of the application.

6. On January 29, 2004 the DES Wetlands Bureau conducted a Prime Wetland public hearing for the project. No comments were received by the Bureau at the public hearing.
7. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
8. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
9. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
10. The applicant has sufficiently addressed the Criteria for Approval for projects in or contiguous to prime wetlands, as described in Rule Wt 703.01(b).
11. Based on information contained in the application and testimony presented at the public hearing, the Department finds that the project will not result in a significant net loss of the functions and values of Salem Prime Wetland #17.

MINOR IMPACT PROJECT

2003-01117 BOSS CONTRACTING
NEW IPSWICH Unnamed Wetland

Requested Action:

Dredge and fill approximately 9,053 square feet of palustrine forested wetlands to provide access for a 12-Unit housing complex known as Gridley River Village. Remove an existing culvert and associated fill to restore previously impacted areas.

Conservation Commission/Staff Comments:

On June 9, 2003, Conservation Commission requested time to conduct a site inspection and submit comments later. As of December 11, 2003, no comments submitted.

Inspection Date: 07/30/2003 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Dredge and fill approximately 9,053 square feet of palustrine forested wetlands to provide access for a 12-Unit housing complex known as Gridley River Village. Remove an existing culvert and associated fill to restore previously impacted areas.

With Conditions:

1. All work shall be in accordance with "Gridley River Village" Site plan and Subdivision Plan by Bedford Design Consultants dated June 3, 2003, as received by the Department on November 13, 2003.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
5. There shall be no further alteration of wetlands on Lot 9, on Map 1, for lot development, driveways, culverts, or for septic setback.
6. Work shall be done during low flow.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Area shall be regraded to original contours following completion of work.
10. Proper headwalls shall be constructed within seven days of culvert installation.

11. Culvert outlets shall be properly rip rapped.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
14. Wetland restoration area shall have at least 75% successful establishment of wetlands vegetation after one growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 sq ft of nontidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on July 30, 2003. Field inspection determined the need for additional clarification for wetland enhancement area.
6. The Department has determined that additional information submitted on November 13, 2003, for the wetland enhancement area is appropriate for the extent of previous impacts.

2003-01611 SILVER JR., STANLEY & BETHANY
WEBSTER Unnamed Wetland

Requested Action:

Retain 7,200 square feet of impact to a palustrine forested wetland for the installation of a 15" x 34' culvert and associated fill to provide access for forestry and agricultural activities

Conservation Commission/Staff Comments:

DES personnel noted potential impacts to jurisdictional wetlands on June 16, 2003. Site inspection determined road construction conducted without a permit. DES requested an application to retain the impacts.

Wetlands application received on December 9, 2003.

No comments submitted by the Conservation Commission.

Inspection Date: 06/16/2003 by William A Thomas

APPROVE AFTER THE FACT:

Retain 7,200 square feet of impact to a palustrine forested wetland for the installation of a 15" x 34' culvert and associated fill to provide access for forestry and agricultural activities

With Conditions:

1. All work shall be in accordance with plans by USDA/NRCS, as received by the Department on December 9, 2003.
2. Any change in use to a non-forestry or non-agricultural purpose will require further permitting by the DES Wetlands Bureau.
3. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This project impacts 7,200 sq ft of nontidal forested wetlands for forestry and agricultural purposes and is therefore a minor

impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 sq ft on nontidal wetlands.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. DES Staff conducted a field inspection of the proposed project on June 16, 2003. Field inspection determined fill placed in jurisdictional wetlands without a permit.

6. The Department has determined the applicant adequately addressed the terms of the Letter of Deficiency #2003-19, issued on October 17, 2003.

2003-02518 HALL, HOWARD & KAREN
LACONIA Winnisquam Lake

Requested Action:

Cover the gap between the slope and the three landward sides of an existing 17 ft 1 in x 30 ft 7 in dug-in boathouse with 341 sq ft of safety decking on an average of 165 ft of frontage on Lake Winnisquam.

Conservation Commission/Staff Comments:

Con. Com. did not object to project.

APPROVE PERMIT:

Cover the gap between the slope and the three landward sides of an existing 17 ft 1 in x 30 ft 7 in dug-in boathouse with 341 sq ft of safety decking on an average of 165 ft of frontage on Lake Winnisquam.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated November 1, 2003, as received by the Department on November 10, 2003.

2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.

3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

4. The decking shall be maintained for safety concerns and shall not be used for recreational purposes.

5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(a), the addition of safety decking around the landward portion of an existing dug-in boathouse that does not meet any of the criteria of Wt 303.02, Wt 303.04, or Wt 303.05.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. This project is approvable based on documented correspondence from DES Staff recommending the construction of safety decking around the boathouse.

2003-02658 KILAR, SANDRA
NORTHWOOD Northwood Lake

Requested Action:

Repair in-kind, an existing 66 linear ft concrete retaining wall and an existing 9 ft x 34 ft concrete patio, fill 92 sq ft of flowage area, construct 22 linear ft of retaining wall, and construct 36 sq ft of stairs accessing the water on an average of 77 ft of frontage on Northwood Lake, Northwood.

Conservation Commission/Staff Comments:

Con. Com. did not comment on project.

APPROVE PERMIT:

Repair in-kind, an existing 66 linear ft concrete retaining wall and an existing 9 ft x 34 ft concrete patio, fill 92 sq ft of flowage area, construct 22 linear ft of retaining wall, and construct 36 sq ft of stairs accessing the water on an average of 77 ft of frontage on Northwood Lake, Northwood.

With Conditions:

1. All work shall be in accordance with plans by NH Soil Consultants, Inc. dated October 28, 2003, revised on December 23, 2003, as received by the Department on December 29, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. All excavated and removed material shall be placed outside of the jurisdiction of the DES Wetlands Bureau prior to new construction.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Repair of the existing retaining wall and patio shall maintain existing size, location and configuration.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
10. Work shall be done during drawdown.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), projects involving less than 20,000 square feet of alternation in the aggregate in nontidal surface waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. Abutter did not sign waiver for work within the 20 ft setback but did support the project at a hearing held by the Northwood Conservation Commission on December 2, 2003.
6. The project will impact approximately 92 sq ft of flowage area raised by damming, which was previously impacted by a concrete boatramp no longer in use. No fill will be placed below the natural high water mark.
7. The NH DES Dam Bureau had no objections to the project and associated impacts within its flowage area.

2003-02758 COUILLARD, ROLAND
SEABROOK Tidal Buffer Zone

Requested Action:

Impact 49,500 square feet of uplands within a sand dune jurisdiction, 15,500 square feet of which is in the previously developed upland tidal buffer zone, for the construction of a seven lot subdivision.

Inspection Date: 10/17/2003 by Christina Altimari

APPROVE PERMIT:

Impact 49,500 square feet of uplands within a sand dune jurisdiction, 15,500 square feet of which is in the previously developed upland tidal buffer zone, for the construction of a seven lot subdivision.

With Conditions:

1. All work shall be in accordance with plans by Millennium Engineering, Inc. dated December 5, 2003, with revisions dated January 30, 2004, as received by the Department on January 30, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on other areas within the jurisdiction of the DES Wetlands Bureau.
5. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
7. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

With Findings:

1. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
2. Per Wt 302.03, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES' jurisdiction, as this project will take place completely within the developed uplands and will not impact any existing sand dunes or wetlands on the property, and the applicant will maintain a healthy vegetative buffer between the proposed development and the highest observable tide line.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The NH Natural Heritage Inventory (NHNHI) has record of one state endangered/federally threatened vertebrate species within the project vicinity, the Piping Plover (*Charadrius melodus*); three state endangered plant species within the project vicinity, Gray's Umbrella-Sedge (*Cyperus grayi*), Sea-Beach Needlegrass (*Aristida tuberculosa*), and Tundra Alkali Grass (*Puccinellia tenella*); two state endangered plant species Hairy Hudsonia (*Hudsonia tomentosa*) and Tall Wormwood (*Artemisia campestris*); and record of one plant species of special concern within the project vicinity, Beach Grass (*Ammophila breviligulata*). Also, NHNHI has record of five natural communities of special concern within the project vicinity: Gulf of Maine Fresh/Brackish Intertidal Flat Community, Gulf of Maine Salt Marsh, SNE Coastal Dune Community, SNE Coastal Interdunal Marsh/Swale, and SNE Maritime Forest on Dunes.
6. DES field inspection on October 17, 2003 finds that none of the threatened or endangered species, or species and communities of special concern are located within the project area, and therefore will not be impacted as a result of the project.
7. Based on the above-listed findings, this project is deemed minimum impact per Wt. 303.04(o).

MINIMUM IMPACT PROJECT

2003-01694 KALIL, CHARLES
BARTLETT Saco River

Requested Action:

Request reconsideration of the December 9, 2003 decision to deny a permit for repairing an existing stone keyway and washed out section of an existing island within the bed and banks of the Saco River.

Inspection Date: 09/24/2003 by Craig D Rennie

DENY RECONSIDERATION:

Deny reconsideration to impact approximately 17,900 square feet within the bed and banks of the Saco River to complete repairs to an existing stone keyway and a washed out section of an existing island. Work will include dredging 7,000 square feet within a dugout pond (located in an overflow channel and hydrologically connected to the Saco River) to reclaim washed out gravel/cobble; filling 1,900 square feet within the bed of the river to repair an existing stone keyway; filling approximately 6,000 square feet within a washed out area of the island to repair a previously dry gravel/cobble point bar; and installing riprap along 100 linear feet of the island (3,000 square feet) to repair a washed out bank.

With Findings:

Standards for Approval:

1. This is a Minimum Impact Project per NH Administrative Rule Wt 303.04 (v), as impacts are needed to repair the washed out section of the island and the existing stone keyway; and Wt 303.04 (k), maintenance dredging within a man-made dugout pond (located within an overflow channel) to provide continued usefulness.
2. Pursuant to RSA 482-A:11, II, before granting a permit under this chapter, the department may require reasonable proof of ownership by a private landowner-applicant.

Findings of Fact:

3. On July 24, 2003, a Standard Dredge and Fill Application was received by DES that proposed to impact 19,000 square feet within the bed and banks of the Saco River to complete repairs to an existing stone keyway and a washed out section of an existing island.
4. In a letter dated August 8, 2003, DES issued a "Notice of Incompleteness" to the applicant because of insufficient filing fees.
5. On August 19, 2003, DES received the additional application fee, and in a letter dated August 20, 2003, DES issued a "Notice of Administrative Completeness" to the applicant.
6. DES staff inspected the property on September 24, 2003 and found that the keyway structure and island property were not abandoned and therefore qualified as a minimum impact repair project.
7. On December 9, 2003, DES denied the application request to make repairs on the stone keyway and washed out island within the Saco River because the applicant failed to provide proof of ownership.
8. On December 24, 2003, DES received a letter from the applicant requesting reconsideration of the decision and provided additional information that was not submitted with the original application.

Findings in support of denial:

9. Based on review of the additional information submitted, the applicant has again failed to provide evidence which demonstrates proof of ownership of the island property as required by RSA 482-A:11, II.

2003-02129 RATTEE, DEBRA
LOUDON Unnamed Stream

Requested Action:

Install 18-inch x 20 foot culvert impacting 400 square feet of previously impacted wet meadow for driveway access to a proposed single family residence.

Conservation Commission/Staff Comments:

The conservation commission did not comment on this application.

APPROVE PERMIT:

Install 18-inch x 20 foot culvert impacting 400 square feet of previously impacted wet meadow for driveway access to a proposed

single family residence.

With Conditions:

1. All work shall be in accordance with plans by Debra Rattee, as received by the Department on September 22, 2003 and January 14, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Work shall be done during under dry conditions.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2003-02223 LOWRY, JAMES
WOLFEBORO Unnamed Wetland

Requested Action:

Restore 3,500 square feet of previously disturbed forested wetland, fill 350 square feet of previously impacted forested wetland for lot development, and temporarily impact 410 square feet of previously impacted forested wetland to install a well and replace a culvert with associated headwall for access.

Conservation Commission/Staff Comments:

The conservation commission has no objections to this application.

APPROVE PERMIT:

Restore 3,500 square feet of previously disturbed forested wetland, fill 350 square feet of previously impacted forested wetland for lot development, and temporarily impact 410 square feet of previously impacted forested wetland to install a well and replace a culvert with associated headwall for access.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates dated September 13, 2003 and revised through January 26,

2004, as received by the Department on January 26, 2004.

2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit is contingent on the restoration of 3,500 square feet of wetland.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
6. Work shall be done during low flow.
7. A qualified wetlands consultant shall supervise the restoration activities on the Property to ensure that the restoration is accomplished pursuant to this Restoration Plan Approval.
8. Wetland restoration shall be complete prior to the commencement of house construction.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. The restoration area shall be regraded to the original contours.
12. All material removed during restoration activities shall be removed down to the level of the original hydric soils.
13. All material removed during restoration activities shall be placed out of DES's jurisdiction.
14. Mulch within the restoration area shall be straw.
15. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of application.
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
18. A post-construction report documenting the status of the restored jurisdictional area, including photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of restoration.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).
2. The applicant has agreed to restore 3,500 square feet of wetland.
3. The fill is not to meet the requirements for septic setback, a waiver of Administrative Rule Ws 1008.04(a) was issued by the Subsurface Systems Bureau.

**2003-02633 SANBORN FARM LLC, ANDREW
BELMONT Unnamed Stream**

Requested Action:

Approve after the fact disturbance of 180 square feet within the channel and banks of an unnamed stream for installation of a 48-inch x 30 foot culvert for access to rear portion of the lot.

Conservation Commission/Staff Comments:

The conservation commission did not comment on this application.

APPROVE AFTER THE FACT:

Retain 48-inch x 30 foot culvert in an unnamed stream for access to rear portion of the lot

With Conditions:

1. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new

application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), installation of a culvert, bridge, pole, or rock ford and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial, recreational use.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant proposes to log the property for the next ten years then proposes to use the land for recreational purposes.

2003-02656 SODA BROOK CORP
NORTHFIELD Unnamed Wetland

Requested Action:

Temporarily impact 730 square feet of palustrine forested wetland and 45 linear feet of unnamed perennial stream for installation of a sewer line.

Conservation Commission/Staff Comments:

The conservation commission did not comment on this application.

APPROVE PERMIT:

Temporarily impact 730 square feet of palustrine forested wetland and 45 linear feet of unnamed perennial stream for installation of a sewer line.

With Conditions:

1. All work shall be in accordance with plans by SFC Engineering Partnership dated November 20, 2003, as received by the Department on November 26, 2003.
2. This permit is contingent on review and approval by the DES Winnepesaukee River Basin Project.
3. This permit is contingent on review and approval by the DES Wastewater Engineering Design Review Section.
4. This permit is contingent on review and approval by the DES Water Supply Engineering Section.
5. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
6. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
7. Work shall be done in the dry.
8. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
11. Temporary impacts areas shall be regraded to the original contours.
12. Dredged materials shall be placed outside of DES Wetlands Jurisdiction.
13. Mulch within DES Wetlands Jurisdiction shall be straw.
14. Seed mix within the temporary impact areas shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of application.
15. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be

stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

16. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

17. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

18. Silt fencing must be removed once the area is stabilized.

19. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

20. A post-construction report documenting the status of the restored jurisdictional area, including photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of restoration.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3000 square feet in swamps or wet meadows and Administrative Rule Wt 303.04(n), projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2003-02736 ZUMERHLEN, RICHARD
SWANZEY Unnamed Wetland

Requested Action:

Restore approximately 1,100 square feet of previously impacted jurisdictional wetlands. Work to consist of removal of outwash from stormwater control devices and removal of fill placed in jurisdiction.

Conservation Commission/Staff Comments:

Conservation Commission has made no recommendations or objections to the restoration project.

APPROVE PERMIT:

Restore approximately 1,100 square feet of previously impacted jurisdictional wetlands. Work to consist of removal of outwash from stormwater control devices and removal of fill placed in jurisdiction. per plans received on 12/01/2003.

With Conditions:

1. All work shall be in accordance with plans by SVE Associates dated December 1, 2003, as received by the Department on December 10, 2003.

2. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

3. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

4. Area shall be regraded to original contours following completion of the restoration work.

5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

6. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.

7. No fill shall be done for lot development.

8. Wetland replication area shall have at least 75% successful establishment of wetlands vegetation after one growing season, or it

shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

10. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This project proposes to restore 1,100 sq ft of previously impacted wetlands and is therefore a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq ft of jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

FORESTRY NOTIFICATION

2003-02875 BLUE HILLS FOUNDATION
STRAFFORD Unnamed Stream

COMPLETE NOTIFICATION:
Strafford Tax Map 9 14, Lot# 76 & 11-3

2004-00100 GREEN ACRE WOODLANDS INC
WOODSTOCK Unnamed Stream

COMPLETE NOTIFICATION:
Woodstock Tax Map 213, Lot# 9

2004-00101 CUTTER JR, DONALD
LYME Unnamed Stream

COMPLETE NOTIFICATION:
Lyme Tax Map 421, Lot# 22

2004-00102 GREEN ACRE WOODLANDS INC
GROTON Unnamed Stream

COMPLETE NOTIFICATION:
Groton Tax Map 3, Lot# 14

2004-00103 PARKER, LOUISE & JAMES LEAVITT
HANOVER Unnamed Stream

COMPLETE NOTIFICATION:
Hanover Tax Map 1, Lot# 10 & 11

2004-00104 SCHOAKES REALTY
NEW LONDON Unnamed Stream

COMPLETE NOTIFICATION:
New London Tax Map 123, Lot# 26

2004-00105 CROSS, DAVID
RAYMOND Unnamed Stream

COMPLETE NOTIFICATION:
Raymond Tax Map 8, Lot# 34

2004-00106 NEW ENGLAND FORESTRY FOUNDATION INC
NOTTINGHAM Unnamed Stream

COMPLETE NOTIFICATION:
Nottingham Tax Map 39 & 26, Lot# 42 & 1

2004-00107 LEMINGTON TIMBER CO. LLC
COLUMBIA Unnamed Stream

COMPLETE NOTIFICATION:
Columbia Tax Map 410, Lot# 54

2004-00108 PINE TREE POWER DEVELOPMENT CORP, WM CARRIS
LANCASTER Unnamed Stream

COMPLETE NOTIFICATION:
Lancaster Tax Map R1, Lot# 21

2004-00118 CERSOSIMO LUMBER CO INC
BRADFORD Unnamed Stream

COMPLETE NOTIFICATION:
Bradford Tax Map 15, Lot# 8

2004-00124 WOODBURY, DOUGLAS
SANDWICH Unnamed Stream

COMPLETE NOTIFICATION:

Sandwich Tax Map R13, Lot# 10 & 11

2004-00127 ONEIL TRUST, LETITIA
SANDWICH Unnamed Stream

COMPLETE NOTIFICATION:

Sandwich Tax Map R9, Lot# 4

2004-00129 NEAL, HAVEN
RANDOLPH Unnamed Stream

COMPLETE NOTIFICATION:

Randolph Tax Map R5, Lot# 3

2004-00130 DONOVAN, MARY & PAUL
JEFFERSON Unnamed Stream

COMPLETE NOTIFICATION:

Jefferson Tax Map 2, Lot# 18, 31 & 32

EXPEDITED MINIMUM

2003-02855 HANLEY, ELFRIEDE
RYE Atlantic Ocean

Requested Action:

impact 568 square feet of the tidal buffer zone to regrade existing rocks that have been pushed up against the seawall by the winter

Inspection Date: 01/29/2004 by Christina Altimari

DENY PERMIT:

impact 568 square feet of the tidal buffer zone to regrade existing rocks that have been pushed up against the seawall by the winter storms

With Findings:

1. On December 30, 2003, DES received a minimum expedited application from Elfriede J. Hanley ("the Applicant") requesting to impact 568 square feet of the tidal buffer zone to regrade existing rocks that have been pushed up against the seawall by the winter storms along the shoreline of Rye Tax Map 84 / Lot 105 ("the property").
2. On December 31, 2003, DES sent a letter to the Applicant acknowledging the receipt of the application.
3. Approval must be consistent with the findings of public purpose set forth by RSA 482-A:1, and that need must be demonstrated in accordance with Wt 302.01(b).
4. The plan submitted with the application shows two (2) 24-inch thick seawalls on the property, the first located approximately 22 feet from the highest observable tide line (HOTL), and the second, located landward of the first.
5. DES field inspection on January 29, 2004 finds that only the second of the two seawalls shown on the plan exists on site.

6. As shown in the photographs (taken October 12, 2003) submitted with the application and seen during DES' field inspection, the property is currently stabilized by vegetation, and there is no evidence of erosion or scouring of soil from the roots of the existing plants.
7. DES field inspection finds that the rocks existing along this stretch of the beach are part of the natural landscape, and are distributed accordingly by the tides on a seasonal basis.
8. DES finds that if the rocks were to be regraded, that there exists a greater possibility of erosion and scouring of sediment from underneath the wall.
9. The house on the property is set back approximately 43 feet, according to the plan submitted by the applicant, from the houses on the abutting properties, and at least 50 feet behind the only visible seawall on the property.
10. DES therefore finds that the existing house is not in danger, that the shoreline frontage is stable due to the existing vegetation, and that as required by Wt 302.01(b), there is no evidence of demonstrated need for the proposed project.
11. Approval of this project proposal would not be consistent the findings of public purpose set forth by RSA 482-A:1, or previous decisions issued by the DES Wetlands Bureau.

2003-02856 BRESLIN, PATRICIA
RYE Atlantic Ocean

Requested Action:

impact 608 square feet of the tidal buffer zone to regrade existing rocks that have been pushed up against the seawall by the winter storms

Inspection Date: 01/29/2004 by Christina Altimari

DENY PERMIT:

impact 608 square feet of the tidal buffer zone to regrade existing rocks that have been pushed up against the seawall by the winter storms

With Findings:

1. On December 30, 2003, DES received a minimum expedited application from Patricia J. Breslin ("the Applicant") requesting to impact 608 square feet of the tidal buffer zone to regrade existing rocks that have been pushed up against the seawall by the winter storms along the shoreline of Rye Tax Map 84 / Lot 108 ("the property").
2. On December 31, 2003, DES sent a letter to the Applicant acknowledging the receipt of the application.
3. Approval must be consistent with the findings of public purpose set forth by RSA 482-A:1, and that need must be demonstrated in accordance with Wt 302.01(b).
4. Per Wt. 302.03, the applicant must provide evidence that demonstrates the proposed alternative encompasses the least adverse impact to the area and environment under the DES Wetlands Bureau's jurisdiction.
5. As shown in the photographs (taken October 12, 2003) submitted with the application area seaward of the retaining wall is capable of supporting vegetation.
6. DES field inspection finds that the rocks existing along this stretch of the beach are part of the natural landscape, and are distributed accordingly by the tides on a seasonal basis.
7. DES finds that the existing seawall is serving its purpose by retaining the rocks on the ocean side of the wall, and that there is no evidence of the rocks overtaking the seawall, or redistribution of the rocks into the yard, landward of the wall.
8. DES finds that if the rocks were to be regraded along the seawall, that there exists a greater possibility of erosion and scouring of sediment from underneath the wall.
9. Therefore, DES finds that the property's shoreline frontage is stable, capable of supporting vegetation, and that as required by Wt 302.01(b), there is no evidence of demonstrated need for the proposed project.
10. Approval of this project proposal would not be consistent the findings of public purpose set forth by RSA 482-A:1, or previous decisions issued by the DES Wetlands Bureau.

2003-02857 FROST, ROBERT
RYE Atlantic Ocean

Requested Action:

impact 488 square feet of the tidal buffer zone to regrade existing rocks that have been pushed up against the seawall by the winter storms

Inspection Date: 01/29/2003 by Christina Altimari

DENY PERMIT:

impact 488 square feet of the tidal buffer zone to regrade existing rocks that have been pushed up against the seawall by the winter storms

With Findings:

1. On December 30, 2003, DES received a minimum expedited application from Robert Frost ("the Applicant") requesting to impact 488 square feet of the tidal buffer zone to regrade existing rocks that have been pushed up against the seawall by the winter storms along the shoreline of Rye Tax Map 84 / Lot 107 ("the property").
2. On December 31, 2003, DES sent a letter to the Applicant acknowledging the receipt of the application.
3. Approval must be consistent with the findings of public purpose set forth by RSA 482-A:1, and that need must be demonstrated in accordance with Wt 302.01(b).
4. Per Wt. 302.03, the applicant must provide evidence that demonstrates the proposed alternative encompasses the least adverse impact to the area and environment under the DES Wetlands Bureau's jurisdiction.
5. As shown in the photographs (taken October 12, 2003) submitted with the application area seaward of the retaining wall is capable of supporting vegetation.
6. DES field inspection finds that the rocks existing along this stretch of the beach are part of the natural landscape, and are distributed accordingly by the tides on a seasonal basis.
7. DES finds that the existing seawall is serving its purpose by retaining the rocks on the ocean side of the wall, and that there is no evidence of the rocks overtaking the seawall, or redistribution of the rocks into the yard, landward of the wall.
8. DES finds that if the rocks were to be regraded along the seawall, that there exists a greater possibility of erosion and scouring of sediment from underneath the wall.
9. Therefore, DES finds that the property's shoreline frontage is stable, capable of supporting vegetation, and that as required by Wt 302.01(b), there is no evidence of demonstrated need for the proposed project.
10. Approval of this project proposal would not be consistent the findings of public purpose set forth by RSA 482-A:1, or previous decisions issued by the DES Wetlands Bureau.

2004-00015 BROWN, PAUL
CONWAY Unnamed Wetland

Requested Action:

Install one 24-inch x 22 foot culvert impacting 181 square feet of palustrine forested wetlands to provide access to a proposed single family residence.

Conservation Commission/Staff Comments:

Conway Conservation Commission signed off on this application

APPROVE PERMIT:

Install one 24-inch x 22 foot culvert impacting 181 square feet of palustrine forested wetlands to provide access to a proposed single family residence.

With Conditions:

1. All work shall be in accordance with plans by Ammonoosuc Survey Company, Inc., dated September 23, 2003, as received by the Department on January 06, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.

3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Work shall be done in the dry.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Culvert inverts shall be laid at existing grade.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culvert outlets shall be properly rip rapped in accordance with the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), as the project will alter less than 3,000 square feet of non tidal wetlands and Administrative Rule Wt 303.04(z), installation of a culvert and associated fill to permit vehicular access to a piece of property for a single family building lot.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has provided information that all work within Wetland Bureau Jurisdiction will be a minimum of 20 feet from the abutting property lines.

2004-00035 LOMAX TRUST, CROOK & ROBERT TTEES
NEW LONDON Lake Sunapee

Requested Action:

Replace one 5 ft 6 in by 20 ft crib and three 4 ft by 4 ft cribs supporting an existing 27 ft 4 in by 22 ft 4 in dwelling over water connected a 17 ft 4 in by 35 ft 4 in boathouse, on Lake Sunapee, New London.

Conservation Commission/Staff Comments:

Con Com signed Expedited Application

APPROVE PERMIT:

Replace one 5 ft 6 in by 20 ft crib and three 4 ft by 4 ft cribs supporting an existing 27 ft 4 in by 22 ft 4 in dwelling over water connected a 17 ft 4 in by 35 ft 4 in boathouse on Lake Sunapee, New London.

With Conditions:

1. All work shall be in accordance with plans by Richard L. Green dated December 29, 2003, as received by the Department on January 8, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.

3. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Repair shall maintain existing size, location and configuration.
6. Appropriate siltation and erosion controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
9. Dredged material and construction shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Existing rocks which have fallen shall be used for repair. No Additional Rocks.
11. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
12. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(v).

LAKES-SEASONAL DOCK NOTIF

2003-00996 WEST, NANCY
BARRINGTON Swain's Lake

2004-00151 WILLIAMS, VERONICA
FREEDOM Ossipee Lake

COMPLETE NOTIFICATION:
Freedom Tax Map 28, Lot# 64 Ossipee Lake

PERMIT BY NOTIFICATION

2004-00131 CONNELL, LAWRENCE
RYE Unnamed Wetland

Conservation Commission/Staff Comments:

Rye Conservation Commission did not sign off on this PBN

On January 28, 2004, DES wetlands received a letter from the Rye Conservation Commission stating disapproval for the need for this application. DES deems this notification completed due to the temporary impacts to the wetland. The applicant has the opportunity for permanent solution to use town sewage over an existing septic system that will eventually fail. After one growing season, the crossing should be virtually undetectable.